

**AMENDMENTS TO THE DRAWINGS**

Attached hereto is one (1) sheet of corrected formal drawings. The corrected formal drawings incorporate the following drawing changes:

**In FIG. 1, the legend “Background Art” has been added.**

It is respectfully requested that the corrected formal drawings be approved and made a part of the record of the above-identified application.

Attachment:      Replacement sheet

**REMARKS**

Applicant appreciates the Examiner's thorough consideration provided the present application. Claims 1-13 are now present in the application. The abstract, drawings and claims have been amended. Claim 13 has been added. Claims 1 and 13 are independent. Reconsideration of this application, as amended, is respectfully requested.

**Allowable Subject Matter**

The Examiner has indicated that dependent claims 10-12 would be allowable if rewritten to include all of the limitations of the base claim and any intervening claims. Applicant greatly appreciates the indication of allowable subject matter by the Examiner.

By the present amendment, claim 10 has been rewritten in independent form as new independent claim 13, as discussed hereinbelow.

**Priority Under 35 U.S.C. §119**

Applicant thanks the Examiner for acknowledging Applicant's claim for foreign priority under 35 U.S.C. §119, and receipt of the certified priority document.

**Drawings Objections**

The drawings have been objected to due to the lack of a legend such as "Background Art" in FIG. 1. Applicant has submitted one (1) sheet of corrected formal drawings to address the Examiner's requested changes. Reconsideration and withdrawal of the Examiner's drawings objection are respectfully requested.

### **Claim Rejections Under 35 U.S.C. §112**

Claim 9 stands rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. This rejection is respectfully traversed.

In view of the foregoing amendments, it is respectfully submitted that these objections have been addressed. In particular, the specification from page 7, line 18 through page 8, line 14 specifically describes how to obtain the control value for generating the desired optical power. Therefore, amended claim 9 complies with the written description requirement. Reconsideration and withdrawal of the rejection under 35 U.S.C. § 112, first paragraph, are therefore respectfully requested.

### **Claim Rejections Under 35 U.S.C. § 103**

Claims 1-8 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Masaki et al., U.S. Patent No. 5,732,055 (hereinafter “Masaki”), in view of Applicant’s Disclosure in FIG. 2 (hereinafter “Applicant’s Disclosure”). This rejection is respectfully traversed.

A complete discussion of the Examiner’s rejection is set forth in the Office Action, and is not being repeated here.

In light of the foregoing amendments, Applicant respectfully submits that this rejection has been obviated and/or rendered moot. While not conceding to the Examiner’s rejection, but merely to expedite prosecution, as the Examiner will note, independent claim 1 has been amended to recite a combination of steps including “increasing a control value of a driving signal generator for driving a pickup unit to output an optical power”, “checking whether a driving voltage is generated by the driving signal generator based on the increased control value” and

“setting the increased control value at which the driving signal generator starts to generate the driving voltage as an offset value for setting up a desired optical power of the pickup unit.”

Support for the above combination of steps can be found in FIGs. 5 and 7 as originally filed. Applicant respectfully submits that the combination of steps as set forth in amended independent claim 1 is not disclosed or suggested by references relied on by the Examiner.

Masaki discloses an optical storage apparatus. In particular, Masaki in FIG. 12 discloses a flowchart for a light emission coarse adjusting process for erasing. Although Masaki in FIG. 12 discloses increasing the EP current DAC register (140) value  $y$  so as to obtain the *measurement power*  $x_1=2\text{mW}$  and obtain  $(x_1, y_1)$ , it simply discloses setting the EP current DAC register value to correspond to the *measurement power* of  $2\text{mW}$  based on the linear curve shown in FIG. 11 (see also col. 19, lines 34-52). In other words, Masaki obtains the linear curve in FIG. 11 first (based on the normalizing process shown in FIG. 10) and then uses the linear curve in the adjusting process of FIG. 12 (see also FIG. 9). Unlike Masaki, the control value of the present invention is increased until the driving signal generator starts to generate the driving voltage.

In addition, Masaki’s EP current DAC register value is set to correspond to the *measurement power*, not correspond to *the driving voltage* of the driving signal generator. Therefore, Masaki fails to disclose “checking whether a *driving voltage* is generated by the driving signal generator based on the increased control value” as recited in amended claim 1.

The Examiner also alleged that Masaki in FIG. 41B and col. 32, lines 9-33 discloses the feature of checking the driving signal of the driving signal generator based on the increased control value. Applicant respectfully disagrees. In particular, Masaki in FIG. 41B and col. 32,

lines 9-33 simply discloses a process for judgment about the necessity of a test write. It has nothing to do with the feature of “*checking whether a driving voltage is generated by the driving signal generator based on the increased control value*” as recited in amended claim 1.

In the alternative, Masaki also fails to teach “*setting the increased control value at which the driving signal generator starts to generate the driving voltage as an offset value for setting up a desired optical power of the pickup unit*” as recited in amended claim 1. Although the Examiner alleged that Masaki in col. 8, line 44-61 discloses this feature, Applicant respectfully disagrees.

In particular, Masaki in col. 8, line 44-61 simply discloses that the writing power adjusting unit increases an offset to the added to the recording limit power when the apparatus temperature is low and decreases the offset when the apparatus temperature is high. In other words, the power offset is adjusted based on the *apparatus temperature*, not based on *whether the driving signal generator starts to generate the driving voltage*. Accordingly, Masaki fails to disclose “*setting the increased control value at which the driving signal generator starts to generate the driving voltage as an offset value for setting up a desired optical power of the pickup unit*” as recited in amended claim 1.

The Examiner also alleged that Applicant’s Disclosure in FIG. 2 discloses a step of setting the control value at which the driving signal generator starts to generate the driving voltage as the offset value. However, Applicant’s Disclosure in FIG. 2 merely discloses that the offset value is set where the pickup unit *starts to output the laser power*, not where “*the driving signal generator starts to generate the driving voltage*” as recited in amended claim 1.

Accordingly, neither Masaki nor Applicant's Disclosure individually or in combination teaches or suggests the above-noted features of amended independent claim 1. Therefore, Applicant respectfully submits that amended independent claim 1 and its dependent claims (due to their dependency) clearly define over the teachings of the utilized references. Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. § 103 are respectfully requested.

### **Additional Claim**

Claim 13 has been added for the Examiner's consideration.

As mentioned, new independent claim 13 has been added to include the subject matter of dependent claim 10, its base claim 1 and the intervening claim 7, which were indicated by the Examiner as including allowable subject matter. Accordingly, it is believed that claim 13 is in condition for allowance.

Favorable consideration and allowance of additional claim 13 are respectfully requested.

### **Additional Cited References**

Since the remaining patents cited by the Examiner have not been utilized to reject the claims, but rather to merely show the state of the art, no further comments are necessary with respect thereto.

## CONCLUSION

All the stated grounds of rejection have been properly traversed and/or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently pending rejections and that they be withdrawn.

It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

In the event there are any matters remaining in this application, the Examiner is invited to contact the undersigned at (703) 205-8000 in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

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